

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Gonzalo NAVARRO-Flores,


Defendant

07 OCT 29 15
Magistrate Court No. '07 MJ 2538
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY
COMPLAINT FOR VIOLATION OF:
Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

The undersigned complainant, being duly sworn, states:

On or about **October 19, 2007** within the Southern District of California, defendant, **Gonzalo NAVARRO-Flores**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 29th DAY OF OCTOBER,
2007


Barbara L. Major
UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

On October 18, 2007 at approximately 10:30 a.m., while performing official duties near Jacumba, California, Senior Patrol Agent B. Nash observed the footprints of a group of suspected illegal aliens across a road known as to agents as "7 Gates." 7 Gates is approximately one quarter mile north of the United States/Mexico International Border and approximately 25 miles east of the Tecate, California Port of Entry. Agent Nash exited his vehicle and began searching for the aliens. At the same time, Border Patrol Agent J. Navar drove north of Old Highway 80 in an attempt to intercept the group. After a short search, Agent Navar observed three individuals attempting to conceal themselves in some brush. Agent Navar approached the three individuals, identified himself as a U.S. Border Patrol Agent and questioned them individually as to their citizenship. All three subjects, including one subject later identified as the defendant **Gonzalo NAVARRO-Flores**, individually and freely stated that they were citizens and nationals of Mexico illegally present in the United States. All three individuals were arrested and transported to the Boulevard Border Patrol Station for further processing.


At the station, routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to Mexico on October 16, 2007 through Calexico, California. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

Executed on October 20, 2007 at 9:30 a.m.



Ismael A. Canto
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page(s), I found probable Cause to believe that the defendant named in this probable cause statement committed the offense on 10/19/2007, in violation of Title 8, United States Code, Section 1326.



Barbara L. Major
United States Magistrate Judge

10/20/07 at 9:55am
Date/Time